

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE TERRELL GARNETT,
[DOB: 02/05/1975],

Defendant.

No.

18-03112-CR-5-RK

18 U.S.C. § 286

NMT 10 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

\$100 Special Assessment

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

At all times material to this Information:

1. Beginning in or about February 2015, and continuing until in or about April 2015, in Christian County, Missouri, within the Western District of Missouri, and elsewhere, the defendant **ANDRE TERRELL GARNETT**, and others known and unknown, knowingly, unlawfully, and willfully agreed, combined, and conspired to defraud the United States by obtaining and aiding to obtain the payment or allowance of a false, fictitious and fraudulent claims on behalf of themselves and others by submitting false claims for income tax refunds with the United States Department of Treasury through the Internal Revenue Service (IRS).

2. The conspiracy was accomplished, in part, by the following acts:

3. The defendant and others, known and unknown, prepared and electronically filed federal income tax returns, which were false and fraudulent in that they included fictitious IRS Form W-2 information, listing employers who did not employ the individual listed on the federal income tax return, and reporting wages not earned, employment taxes not withheld, and business expenses not incurred by the individual.

4. The defendant provided his co-conspirators with specific instructions regarding how to complete and file the false federal income tax returns, listing wages not received, federal income tax withholdings that had not been withheld, and false business expenses. The defendant also provided his co-conspirators with an Employer Identification Number (EIN) under which they could report the false wages and withholdings on false and fictitious IRS Forms W-2. That EIN, 81-0506668, was registered to JDS Enterprises.

5. On or about each of the dates set forth below, in the Western District of Missouri and elsewhere, the defendant and his co-conspirators electronically filed, and the IRS received, a false federal income tax return identified below by tax year and the taxpayer's initials, each of which falsely listed wages not received, federal income tax withholdings that had not been withheld, and Schedule C business losses not incurred as listed below, and each of which fraudulently claimed refunds in the amount set forth below:

Tax Year	Name	False Wages	False With-Holding	False Sched. C (Loss)	Refund Claimed
2014	J.K.	\$57,837	\$26,202	-	\$18,427
2014	J.N.	\$57,944	\$28,972	-	\$21,172
2014	C.A.	\$53,988	\$26,988	-	\$20,175
2014	J.J.	\$46,295	\$22,988	-	\$18,023
2014	J.D.S.	\$547,979	\$250,993	(\$707,132)	\$250,993
Total of False Claims:					\$328,790

All in violation of Title 18, United States Code, Section 286.

TIMOTHY A. GARRISON
United States Attorney

DATED: 9/21/18
SPRINGFIELD, MISSOURI

By


STEVEN M. MOHLHENRICH
Assistant United States Attorney